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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/086,099

02/28/2002

Matthew Barrow

1761 400-06400

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02/23/2006

SPRINT

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KSOPHT0101-Z2100

OVERLAND PARK, KS 66251-2100

EXAMINER

SALL, EL HADJI MALICK

ART UNIT

PAPER NUMBER

2157

DATE MAILED: 02/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/086,099	<b>Applicant(s)</b> BARROW ET AL.	
	<b>Examiner</b> El Hadji M. Sall	<b>Art Unit</b> 2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 05 December 2005.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-12 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                                                        |                                                                                         |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                                                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

## DETAILED ACTION

1. This action is responsive to the correspondence filed on December 5, 2005. Claims 11 and 12 are amended. Claims 1-12 are pending. Claims 1-12 represent Dynamically updateable parameters in integrated services hub.

### 2. *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated Bhatia et al. U.S. 6,118,768.

Bhatia teaches the invention as claimed including apparatus and methods for use therein for an ISDN LAN Modem utilizing browser-based configuration with adaptation of network parameters.

As to claim 1, Bhatia teaches a method for updating configuration parameters in customer premises telecommunications hub comprising:

Receiving in a customer premises telecommunications hub a new configuration file sent from a remote location (column 26, lines 28-32, Bhatia discloses the LAN modem can be remotely configured (i.e. inherently, a configuration file is received in the LAN modem or "telecommunications hub"));

Identifying parameters in the new configuration file which are different than existing parameters stored in said customer premises telecommunications hub (column 24, lines 59-64, Bhatia discloses a user at the workstation will interactively enter network parameters and other required data to properly configure the LAN modem);

Checking the parameters which are different to determine whether they can be changed dynamically (column 24, lines 55-67, Bhatia discloses dynamically constructing a default web page through which the user can choose to configure the LAN modem);  
and

If all parameters which are different can be dynamically changed, updating all parameters to those contained in the new configuration file (column 17, lines 49-57, Bhatia discloses if the LAN modem has not yet been initially configured, Configuration

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Manager 401 updates certain portions of local database 416 with data representing the present configuration of the LAN modem and its users).

As to claim 2, Bhatia teaches a method according to claim 1, further comprising:

If any of the parameters which are different cannot be dynamically changed, rebooting the system (column 24, lines 40-44, Bhatia discloses the LAN modem stores the IP address and subnet values for the LAN modem in database 416 and automatically resets the LAN modem so that these addresses, including the subnet address, over-ride the default values).

As to claim 3, Bhatia teaches a method according to claim 1, wherein:

Said hub comprises a configuration update module and plurality of other functional modules which use parameters contained in the configuration file (figure 1),

Said other functional modules register check and update function calls with said update module (figure 4B),

Said update module writes the new configuration file into flash memory and issues a check function call to each of the other functional modules (column 18, lines 3-7, Bhatia discloses Various portions of this information, such as the serial number, product name, and private IP address range are initially stored in the EPROM (within EPROM and watchdog timer 380 shown in FIG. 3) and after a power-on reset has occurred, copied into the flash memo), and

Each functional module compares configuration file parameters in the new configuration file to its existing parameters, and notifies the update module whether the parameters which are different can be changed dynamically (column 49, line 60 to column 50, line 20, Bhatia discloses comparing and correcting it to identically reflect that stored within the flash memory).

As to claim 4, Bhatia teaches a method according to claim 3, wherein:

If the parameters which are different can be changed dynamically, said update module issues an update function call to each of the other functional modules (figure 7; column 6, lines 9-14, Bhatia discloses LAN modem containing internal co-operative DHCP and DNS servers that are integrated with routing and call management processes).

As to claim 5, Bhatia teaches a method according to claim 3, wherein:

If the parameters which are different cannot all be changed dynamically, said update module reboots the system (column 24, lines 40-44, Bhatia discloses the LAN modem stores the IP address and subnet values for the LAN modem in database 416 and automatically resets the LAN modem so that these addresses, including the subnet address, over-ride the default values).

As to claim 6, Bhatia teaches a method according to claim 1, wherein:

Said step of updating parameters is performed when said customer premises telecommunications hub is in an idle state (column 16, lines 46-47, Bhatia discloses whenever the LAN modem, specifically the CPU therein, is to enter an idle State).

As to claim 7, Bhatia teaches a method according to claim 1, wherein:

Said new configuration file is received over a wide area network connection in an Internet protocol (column 22, lines 14-16, Bhatia discloses the LAN modem will have to multiplex the traffic from multiple LAN side workstations to the same WAN connection).

As to claim 8, Bhatia teaches a method according to claim 1, wherein:

Said new configuration file is received over an ISDN connection to a server in a central office (column 17, lines 25-31, Bhatia discloses Call control section 460 interacts with a local ISDN switch at a telephone central office to establish and terminate ISDN calls in order to appropriately route traffic between the LAN, via the switch and PSTN, and a remote network).

Bhatia fails to teach explicitly Said new configuration file is received over a DSL connection to a server in a central office.

However, Kaplan teaches a DSL connection (column 2, lines 7-9, Kaplan discloses communications hub is further comprised of a Digital Subscriber Line (DSL) interface that is coupled to the communications interfaces).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Bhatia in view of Kaplan to provide Said new configuration file is received over a DSL connection to a server in a central office. One would be motivated to do so to allow faster service and "always on".

As to claim 9, Bhatia teaches a customer premises telecommunications hub, comprising:

A wide area network connection for receiving Internet protocol messages (figure 1; column 22, lines 1-7, Bhatia discloses the remote network, on the WAN side, identified by the source and destination IP addresses),

A memory storing a configuration file (figure 3, item 376),

A microprocessor having a plurality of functional program modules operating with parameters contained in the configuration file, each function module storing configuration file parameters which affect its operations and having a check function and an update function (figure 3), and

A configuration update module adapted to receive a new configuration file over the wide area network connection while the microprocessor is in a running state, to store the new configuration file in memory, and to call the check function and the update function in each functional module (figure 1; figure 4B; column 18, lines 3-7, Bhatia discloses Various portions of this information, such as the serial number, product name, and private IP address range are initially stored in the EPROM (within



EPROM and watchdog timer 380 shown in FIG. 3) and after a power-on reset has occurred, copied into the flash memory).

As to claim 10, Bhatia teaches a system for dynamically updating configuration file parameters in a customer premises telecommunications hub comprising:

A remotely located configuration server accessible over a wide area network connection (column 12, lines 63-65, Bhatia discloses LAN modem between all the workstations connected to the LAN modem and associated remote server),

Means for receiving a new configuration file from said configuration file server over a wide area network connection while the customer premises telecommunications hub is in running state (column 26, lines 28-32, Bhatia discloses the LAN modem can be remotely configured (i.e. inherently, a configuration file is received in the LAN modem or "telecommunications hub")),

Means for comparing parameters controlling operation of the customer premises telecommunications hub to parameters contained in the new configuration file and identifying parameters which are different (column 6, line 62 to column 7, line 5, Bhatia discloses comparing the entire executable program code stored in the DRAM, on a location-by-location basis, with that stored in the flash memory),

Means for identifying parameters which can be changed dynamically (column 63, lines 44-46, Bhatia discloses automatically adapting a value of predefined network parameters associated with the network communication device)

Means for, if all parameters which are different can be changed dynamically,

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dynamically updating parameters to those contained in the new configuration file (column 17, lines 49-57, Bhatia discloses if the LAN modem has not yet been initially configured, Configuration Manager 401 updates certain portions of local database 416 with data representing the present configuration of the LAN modem and its users).

As to claim 11, Bhatia teaches the system of claim 10 further comprising:

Means for, if any parameter which is different cannot be changed dynamically, Causing the customer premises telecommunications hub to reboot (column 24, lines 40-44, Bhatia discloses the LAN modem stores the IP address and subnet values for the LAN modem in database 416 and automatically resets the LAN modem so that these addresses, including the subnet address, over-ride the default values).

As to claim 12, Bhatia teaches the system of claim 10 further comprising:

Means for dynamically updating parameters to those contained in the new configuration file only when the customer premises telecommunications hub is in idle state (column 16, lines 46-47, Bhatia discloses whenever the LAN modem, specifically the CPU therein, is to enter an idle State).

#### **4. *Response to Arguments***

Applicant's arguments filed 07/14/05 have been fully considered but they are not persuasive.

(A) Applicant argues that Bhatia does not teach or suggest receiving a configuration file at all, much less from a remote location.

In regards to point (A), examiner respectfully disagrees.

Column 4, lines 45-47 and column 26, lines 28-32, Bhatia discloses the LAN modem receiving configuration information directly from the LAN, and the LAN modem can be remotely configured via a networked connection (i.e. inherently, a configuration file (i.e. a set of related records or information (i.e. data, text, spreadsheets, pictures, voice and video. Data are discretely defined fields. Text is a collection of words) is received in the LAN modem or "telecommunications hub")

Column 62, lines 1-5, Bhatia teaches a configuration file from a remote server.

(B) Applicant argues that Bhatia teaches entering individual parameters that the modem uses to configure itself. Bhatia teaches nothing about comparing such parameters to ones that have been previously received.

In regards to point (B), examiner respectfully disagrees.

Features such as comparing such parameters to ones that have been previously received is not in claim 1.

(C) Applicant argues that Bhatia provides no teaching or suggestion concerning the possibility of changing configuration parameters dynamically.

In regards to point (C), examiner respectfully disagrees.

Column 24, lines 55-67, Bhatia discloses dynamically constructing a default web page through which the user can choose to configure the LAN modem. Further, network parameters are entered to properly configure the LAN modem. The configuration of the LAN modem take place after a web page is dynamically constructed. Therefore, Bhatia teaches "possibility of changing configuration parameters dynamically".

Column 11, lines 35-42, Bhatia discloses LAN modem can be configured to dynamically assign an available IP address within the subnet assigned to the LAN modem (providing dynamic IP addressing (i.e. "dynamic configuration").

(D) Applicant argues that Bhatia teaches nothing about dynamically changing parameters and therefore could not teach performing dynamic changing of parameters.

In regards to point (D), examiner respectfully disagrees.

In response to applicant's argument Examiner is referring the applicant to argument (C) because Bhatia indeed teaches "dynamic changing parameters".

(E) Applicant argues that Bhatia clearly does not teach that each functional module stores configuration file parameters which affect its parameters. Bhatia clearly does not teach that each functional module has a check function. Bhatia clearly does not teach that each functional module has an update function.

In regards to point (E), examiner respectfully disagrees.

Column 49, line 60 to column 50, line 20, Bhatia discloses the LAN modem continually check the executable code stored within DRAM against the same executable code stored in the flash memory for any discrepancies, and the integrity of the executable code in the DRAM is maintained by continually and repeatedly comparing and correcting it (i.e. "update") to identically reflect that stored within the flash memory.

(F) Applicant argues that Bhatia does not teach a configuration update module, especially one adapted to receive a configuration file over the WAN.

In regards to point (F), examiner respectfully disagrees.

Column 17, lines 50-53, Bhatia discloses a configuration manager with configuration update capacity to update and configure the LAN modem.

Column 5, lines 16-35, Bhatia discloses the LAN modem connected to the remote server (i.e. a server which the LAN modem receives configuration information or configuration file to update the modem).

(G) Applicant argues that Bhatia does not teach configuration files, or downloading configuration files from a file server, it cannot and does not teach a configuration server.

In regards to point (G), examiner respectfully disagrees.

In response to applicant's argument Examiner is referring the applicant to argument (A) because Bhatia indeed teaches "configuration file". On column 62, lines 1-5, Bhatia explicitly teaches configuration file from a remote sever.

**5. Conclusion**

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to El Hadji M Sall whose telephone number is 571-272-4010. The examiner can normally be reached on 8:00-4:30.

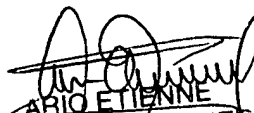
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for

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the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

El Hadji Sall  
Patent Examiner  
Art Unit: 2157

  
ARIO ETIENNE  
PRIMARY EXAMINER